

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ERIC LEE MANY GUNS,

Defendant.

CR-12-45-GF-BMM-01

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter October 3, 2016. (Doc. 70.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on September 29, 2016. (Doc. 66.) Many Guns admitted that he violated the conditions of his supervised release. The violations prove serious and warrant revocation of Many Guns's

supervised release. Judge Johnston has recommended that the Court revoke Many Guns's supervised release and commit Many Guns to the custody of the Bureau of Prisons for eight months with no supervised release to follow (Doc. 70 at 5.)

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Many Guns's violations of his conditions represent a serious breach of the Court's trust. A sentence of eight months custody with no supervised release to follow represents a sufficient, but not greater than necessary, sentence.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 70) is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Eric Lee Many Guns be sentenced to eight months custody with no supervised release to follow. The conditions previously imposed shall be continued.

DATED this 25th day of October, 2016.



Brian Morris
United States District Court Judge